

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JUAN CABRERA,

Plaintiffs,

AFFIDAVIT OF SERVICE

-against-

Index # 07-civ-9935

BOSTON SCIENTIFIC CORPORATION,

Defendants,
-----X

Annexed hereto please find the following:

- 1) Affidavit of **Jessica Miller** indicating that on November 20, 2007 at 2:00 PM, at the office of the Secretary of State of the State of New York in the City of Albany, New York deponent served the annexed **Summons and Verified Complaint on Boston Scientific Corporation** by serving two (2) true copies upon **Carol Vogt**, an authorized agent in the Office of the Secretary of State, of the State of New York personally at the Office of the Secretary of State of the State of New York. She was a white skin female, approximately 43 years of age, approximately 118 pounds with brown hair and approximately 5 feet tall.

Dated: Brooklyn, New York
December 20 2007

I have read the foregoing and I certify that, upon information and belief, the source of which is the review of a file maintained by my office, that the foregoing Affidavit of Service is not frivolous as defined in subsection (c) of Section 130-1.1 of the rules of the Chief Administrator.



AMY INSLER, ESQ.
BONINA & BONINA, P.C.
Attorneys for Plaintiff(s)
16 Court Street Suite 1800
Brooklyn, New York 11241
718 522-1786

AFFIDAVIT OF SERVICE THROUGH THE SECRETARY OF STATE

Index # 07-civ-9935

Purchased/Filed: November 9, 2007

STATE OF NEW YORK

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT

Juan Cabrera

Plaintiff

against

Boston Scientific Corporation

Defendant

STATE OF NEW YORK
COUNTY OF ALBANY

SS.:

Jessica Miller, being duly sworn, deposes and says: deponent is over the age of eighteen (18) years; that on November 20, 2007, at 2:00 p.m., at the office of the Secretary of State of the State of New York in the City of Albany, New York deponent served the annexed

Summons in a Civil Action and Verified Complaint

on

Boston Scientific Corporation

, the

Defendant in this action, by delivering to and leaving with Carol Vogt,

AUTHORIZED AGENT in the Office of the Secretary of State, of the State of New York, personally at the Office of the Secretary of State of the State of New York, 2 true copies thereof and that at the time of making such service, deponent paid said Secretary of State a fee of 40 dollars; That said service was made pursuant to Section 306 Business Corporation Law.

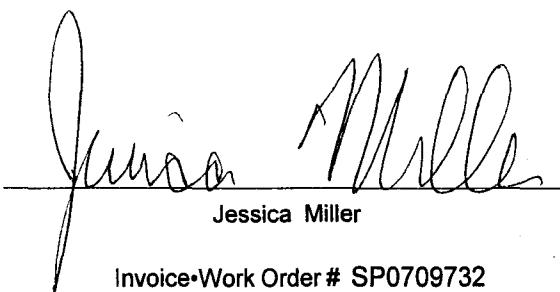
Deponent further says that deponent knew the person so served as aforesaid to be the agent in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant.

Description of the person served: Approx. Age: 43 Approx. Wt: 118 Approx. Ht: 5'Color of skin: White Hair color: Brown Sex: F Other: _____

Sworn to before me on this

23rd day of November, 2007

DONNA M. TIDINGS
NOTARY PUBLIC, State of New York
No. 01T14898570, Qualified in Albany County
Commission Expires June 15, 2011



Jessica Miller
Invoice•Work Order # SP0709732

INDEX NO.:

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AFFIDAVIT OF SERVICE

BONINA & BONINA, P.C.

Attorneys for Plaintiff(s)

16 Court Street, Suite 1800

Brooklyn, NY 11241

Tele. No.: (718) 522-1786

Fax No.: (718) 243-0414

Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed documents are not frivolous.

Dated: December 20, 2007

Signature _____

Print Signer's Name: TYRONE SERGIO, ESQ.

Service of a copy of the within

is hereby admitted.

Dated:

Attorney(s) for

PLEASE TAKE NOTICE

Check Applicable Box

NOTICE OF ENTRY that the within is a (certified) true copy of a entered in the office of the clerk of the within named Court on

NOTICE OF SETTLEMENT that a _____ of which the within is a true copy will be presented for settlement to the Hon. _____, one of the judges of the within named Court, at Supreme, on _____,

Dated:

BONINA & BONINA, P.C.
Attorneys for Plaintiff(s)
 16 COURT STREET
 BROOKLYN, N.Y. 11241